

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROOSEVELT PETTIFORD,

Petitioner,

v.

CASE NO. 10-14781
HONORABLE GEORGE CARAM STEEH

DAVID BERGH,

Respondent.

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ORDER DIRECTING RESPONDENT TO FILE ADDITIONAL TRANSCRIPTS

This matter is pending before the Court on Roosevelt Pettiford's habeas corpus petition challenging his Wayne County convictions for first-degree murder, felon in possession of a firearm, and possession of a firearm during the commission of a felony. Pettiford seeks habeas corpus relief on grounds that: (1) the evidence at trial was insufficient to sustain his convictions; (2) the prosecutor deprived him of his right of confrontation by introducing a letter from a non-testifying individual; (3) the trial court deprived him of his right to counsel of choice; (4) the trial court's comments about an alibi witness deprived him of due process and a fair trial; (5) the police suppressed evidence; (6) the prosecutor misrepresented evidence, argued facts not in evidence, and violated a court ruling; and (7) his trial attorneys deprived him of effective assistance of counsel.

Respondent David Bergh has filed an answer to the petition and a portion of the state court record. Still needed for a proper adjudication of Pettiford's claims are:

- the transcript of trial for August 2, 2006;
- the transcript of the post-conviction hearing held on June 5, 2008, June 6, 2008, and June 13, 2008; and
- a corrected volume of the transcript of trial for July 28, 2006.

Pages 101 to 174 of the transcript for July 28, 2006, as submitted to the Court (ECF No. 10-14), duplicate a portion of Yolanda Browning's trial testimony on July 20, 2006 (ECF No. 10-13). The Court needs the complete testimony of Anthony O'Rourke, David Moore, and Gerald Williams, who apparently testified on July 28, 2006, but whose testimony is missing from the transcript for July 28, 2006, as submitted to the Court.

Respondent is **ORDERED** to file the missing and corrected transcripts within **twenty-eight (28) days** of the date of this order.

Dated: August 20, 2013

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 20, 2013, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk